

Report Date: June 21, 2012

**United States District Court**

for the

**Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JUN 22 2012

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

Name of Offender: Derick Hughes

Case Number: 2:11CR00055-001

Address of Offender:

Spokane, WA 99202

Name of Sentencing Judicial Officer: The Honorable Justin L. Quackenbush, Senior U.S. District Judge

Date of Original Sentence: 10/07/2011

Original Offense: Burglary of a United States Post Office, 18 U.S.C. § 2115; Mail Theft, 18 U.S.C. § 1708; Theft of Government Property, 18 U.S.C. § 641

Original Sentence: Prison - 0

Type of Supervision: Probation

TSR - 0

Probation - 36 Months

Asst. U.S. Attorney: Russell E. Smoot

Date Supervision Commenced: 10/07/2011

Defense Attorney: John Barto McEntire, IV

Date Supervision Expires: 10/06/2014

**PETITIONING THE COURT**

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 06/11/2012.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
-------------------------	--------------------------------

5

**Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

**Supporting Evidence:** On June 20, 2012, this officer was informed that the offender was arrested by the Spokane Police Department (SPD) on June 15, 2012. As a result, the U.S. Probation Office conducted a records check. This audit revealed that the offender was arrested on June 12, 2012, and June 15, 2012, for theft charges. On June 21, 2012, this officer obtained those incident reports.

On Jun 12, 2012, at 2120 hours, a store security officer for Rosaures Supermarkets located at 1808 West Third in Spokane, Washington, filed a theft report. The security officer's report reflects that he observed a defendant, later identified at Derick Hughes conceal a bottle of Vodka in his left inside jacket pocket. Mr. Hughes then walked to the front of the store making an exit without and attempt to pay for the bottle he had concealed. Upon contact with the defendant in the foyer of the store, the security officer identified him as

Prob12C

Re: Hughes, Derick

June 21, 2012

Page 2

Derick Hughes. Mr. Hughes stated, "Do you mind telling me what this is about." The security officer informed the defendant he was being arrested for shoplifting. He escorted the defendant to the office. Mr. Hughes subsequently removed the bottle from his left inside coat pocket, valued at \$44.89. Mr. Hughes then said, "I'm not going to lie, my friends wanted some vodka, so I came in and tried to get some for them. I'm truly sorry." Mr. Hughes was read his Miranda rights, which he waived. Mr. Hughes was given a shoplifting/city theft citation, after the security officer checked through police records and found not outstanding warrants.

The SPD report dated June 15, 2012, reflects that a victim flagged down an officer. Upon contact with the officer, the victim relayed that the defendant walked into her place of employment and asked for a drink of water. While the victim was getting the defendant a bottle of water, he stole her iPhone from her desk. The officer was able to locate the defendant, who was not cooperative. The defendant was later identified as Derick Hughes. The officer informed him why he made contact with him. Mr. Hughes denied having any knowledge of the phone and subsequently agreed to a search of his person. The officer located the iPhone inside the front of his pants. The victim arrived and positively identified Derick Hughes. Mr. Hughes was given his Miranda rights and informed the officer he understood his rights and agreed to speak with the officer. The defendant indicated that he went into the business and asked for water. While the victim stepped away from her desk, he stole her phone. He revealed he dropped the cover down the street at another business. Another officer located the cover of the iPhone at another business location. The officer confirmed that there was a U.S. Marshals warrant for a probation violation. The defendant was advised he was under arrest for city theft and he was given a citation. Mr. Hughes was then transported to the Spokane County Jail and booked on the warrant.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 21, 2012

s/Brenda J. Kuest 06/21/2012

Brenda J. Kuest  
U.S. Probation Officer

---

---

Prob12C

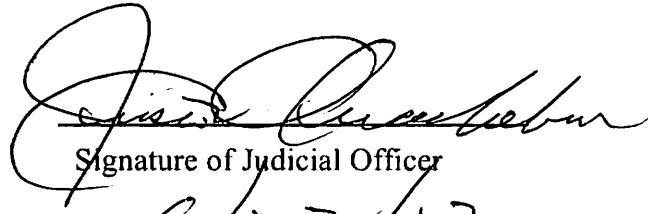
**Re: Hughes, Derick**

**June 21, 2012**

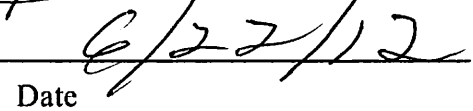
**Page 3**

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Other



Signature of Judicial Officer



Date